

6-7-07

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 1755
)
KODAS et al.) Examiner: Patricia L. Hailey
)
Serial No. 10/731,740) <u>THIRD REQUEST FOR STATUS OF</u>
) <u>REFUND UNDER 37 C.F.R. §1.26</u>
Filed: December 9, 2003)
)
Confirmation No. 5116)
)
Atty. File No.: 41890-01674)
)
For: "ELECTROCATALYST POWDERS,)
METHODS FOR PRODUCING POWDERS)
AND DEVICES FABRICATED FROM)
SAME")
Commissioner for Patents	
P.O. Box 1450	
Alexandria, VA 22313-1450	

Dear Sir or Madam:

Applicant respectfully requests a status update with regard to the attached Request for Refund of \$150.00 mailed to the U.S. Patent and Trademark Office on June 22, 2006.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

David F. Dockery
Registration No. 34,323
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
Telephone: 303-338-0997
Facsimile: 303-338-1514

Date: June 6, 2007

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

KODAS et al.

Serial No. 10/731,740

Filed: December 9, 2003

Confirmation No. 5116

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For: "ELECTROCATALYST POWDERS,
METHODS FOR PRODUCING POWDERS
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Group Art Unit: 1755

) Examiner: Patricia L. Hailey

) REQUEST FOR REFUND
) UNDER 37 C.F.R. 81.26

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted via facsimile to the
U.S. Patent and Trademark Office on the date shown below.

Print or Type Name: Valerie Perry

Signature: [Signature]

Date: 6-22-06

Dear Sir or Madam:

In connection with the above-identified U.S. patent application, Applicant hereby requests a refund in the amount of \$150.00. At the time of filing a Response to Office Action on May 16, 2006, no additional claims were submitted. However, the May 2006 Deposit Account Statement (copy enclosed) indicates that on May 24, 2006, Deposit Account No. 50-1419 was debited \$150.00 for claims in excess of 20. Applicant believes this amount was debited in error.

It is respectfully requested that \$150.00 be credited to Deposit Account No. 50-1419 on behalf of the assignee.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: [Signature]

David F. Dockery
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Date: June 22, 2006



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Trademark Office**

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Deposit Account Statement

Requested Statement Month: May 2006
 Deposit Account Number: 501419
 Name: MARSH FISCHMANN & BREYFOGLE LLP
 Attention: THOMAS R MARSH
 Address: 3151 SOUTH VAUGHN WAY
 City: AURORA
 State: CO
 Zip: 80014
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/01	1	E-REPLENISHMENT		9203	-\$10,000.00	\$10,431.00
05/01	97	10209342	41890-01601	8021	\$40.00	\$10,391.00
05/02	110	10649502	3123-368-1	1464	\$130.00	\$10,261.00
05/04	285	11415047		9204	-\$50.00	\$10,311.00
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05/24	839	78890663	50304-00001	7001	\$325.00	\$6,381.00

Deposit Account Statement

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05/24 961 11419979	45118-00253 1011	\$300.00	\$6,081.00
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05/24 963 11419979	45118-00253 1311	\$200.00	\$5,381.00
05/24 981 11419984	45118-00261 1011	\$300.00	\$5,081.00
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05/24 983 11419984	45118-00261 1311	\$200.00	\$4,381.00
05/24 998 11419987	45118-00262 1011	\$300.00	\$4,081.00
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05/24 1000 11419987	45118-00262 1311	\$200.00	\$3,381.00
05/26 54 E-REPLENISHMENT	9203	-\$5,000.00	\$8,381.00
05/30 2 11025739	50121-00027 1806	\$180.00	\$8,201.00
05/30 28 11397938	41890-01766 1081	\$250.00	\$7,951.00
05/31 26 11397938	41890-01766 1081	\$250.00	\$7,701.00
05/31 377 11419987	45118-00262 8021	\$40.00	\$7,661.00
05/31 395 11419979	45118-00253 8021	\$40.00	\$7,621.00
05/31 415 11419984	45118-00261 8021	\$40.00	\$7,581.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$431.00	\$8,300.00	\$15,450.00	\$7,581.00

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~~05/24/2006 RWIMBUSH 00000003 501419 10731740~~

~~01 FC:1202 150.00 DA~~

Adjustment date: 06/20/2007 SFELEKE1
05/24/2006 RWIMBUSH 00000003 501419 10731740
01 FC:1202 150.00 CR